

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	MB Docket No. 17-106
Rulemaking of	)	
Elimination of the Main Studio Rule		

**I. Statement of Interest**

Florida Public Radio, Inc. {FPR} is among many hundreds of nonprofit organizations, which operate noncommercial stations. FPR advocates that the rule change apply to both noncommercial commercial stations, many of which operate in small markets, and would also receive relief by adoption of MB-17-106.

**II. Introduction**

In as much as the underlying premises for Commission rules must be regularly examined, the Commission's main studio rule; specifically the minimum management presence and staffing, imposes a needless burden on many stations. Particularly affected are stations in small communities.

Through years of regulation and deregulation, the Commission erroneously has held to two notions: 1) that a meaningful management presence is required for localism, and 2) that stations comply to a minimum one-size-fits-all relating to what is a meaningful management presence.

Deregulatory actions to date, have failed to release this albatross from the small broadcaster. While the main studio rule has undergone relaxations, the modifications have benefited the big operators, permitting them to consolidate their main studio dozens of miles from city they are licensed to serve.

The present fulltime staff management presence requirement is not a burden to their huge operations, however, noncommercial educational stations (NCE) and small market commercial stations are burdened to meet this same staffing requirement. Many of these small market broadcasters, or niche broadcasters in a large market, can operate with various combinations of part timers and volunteers.

The Petitioner welcomes the main studio rule's full removal as it would bring relief to stations who can fulfill their on site duties by committing to the day or days and hours that match their needs, while not impeding public input.

Local interest programming is easily and readily captured in the field and streamed to the transmitter, unlike years past when the rule served a localism purpose.

### **III. It Burdens the Small Broadcaster; Not the Big Broadcaster**

The United States and its territories have many small town noncommercial and commercial stations where daily managerial duties, because of automation, can be accomplished in much less time than the “meaningful management presence” rule requires.

Finances are needlessly stressed to meet the rule’s requirement, which does not enhance localism because in today’s world, the public does not use walk-up as a method of suggesting issues and programs.

When the commission allowed consolidation and merging of main studios for group owners, it did so in part as an economical practicality for the big operators, illustrating that it is not out of the ordinary for the Commission to consider economics in its rulemaking. When the mega broadcast owners sought and obtained their modification of the main studio rule (relaxing the geographical limitations on location of the main studio), the small broadcaster (NCE or commercial) was not helped.

### **IV. Rule Change Impact on Localism**

The Commission’s meaningful management presence rule, does not further the goals of localism. With the decision for meaningful staffing hours in local hands, stations are left with more flexibility to advance localism goals. Local produced programming is now more readily accomplished with portable devices in the service area which stream the content to the transmitter.

The percent of program content given to localism can be just as great, and greater, without a rule-imposed management presence in the studio. This is because, in lieu of house sitting the public file for the citizen who never comes to view it, those man-hours can be spent in the community for localism purposes.

### **V. The Need for the Public to Access the Public File**

The Commission’s desire that local citizens have access to station ownership or its appointed representatives is acknowledged as a public interest item. However, the person-to-person method for citizen input to management is no longer needed and in many cases is not practical.

What makes the in-person encounter *unnneeded* is that equal and more effective ways are available: namely, the telephone, and the internet.

Citizens can call the station or use the station's email address from its website to conveniently state their complaint or program suggestion. Even toll free numbers are an obsolete as a convenience item to the public. Toll free numbers count as minutes on cellular phones, and the public has largely migrated to PCS phones and away from land lines.

Should the nature of the request be to view the station's public file, that need is served by having the public file in pdf form on the internet: the FCC's website, and/or the station's own website. Any citizen can go to the public library and access the net for free to view the public file, or copy it to a portable drive, or have it printed to paper at the library. It is common for public libraries to provide this service for nominal cost of the paper.

Public interaction with station management by personal appearance has become impractical. Main studios for high power stations can be as much as seventy air miles from the city of license due to an earlier main studio rule change permitting its location anywhere in the principle service contour.

That rule change, in and of itself, was the Commission essentially abandoning the live, in-person-visit as a public interest item.

FPR has operated small market noncommercial stations since October of 1975. Of its handful of stations in three States, and dating back to the first one referenced above (facility ID 21787), no member of the public has ever come to any studio (nor requested by phone or letter) to see the public file. Other small market station managers that are asked about it, report the same.

## **VI. Conclusion**

Time and technology have changed the rationale for the minimum staffing requirements of the main studio, and indeed, the main studio itself. Public interaction with station ownership is readily available via telephone and internet, all hours, all days.

The license renewal process continues to invite public input, and, if accessible on the internet, the public file issues-programs lists serve as ongoing opportunities for public input into the programming, and evaluation of station performance.

The current informal staffing requirements should be eliminated as wasteful and inefficient.

For the reasons stated above, FPR respectfully requests that the Commission grant the rulemaking in MB Docket No. 17-106.

Respectfully submitted

Florida Public Radio  
505 Josephine St  
Titusville FL 32796  
(321) 267-3000

Randy Henry, President

Dated: June 19, 2017